




**CITY OF DANIA BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**DATE:** May 27, 2014

**TO:** Robert Baldwin, City Manager

**VIA:** Marc LaFerrier, AICP, Director 

**FROM:** Corinne Lajoie, AICP, Principal Planner, LEED GA

**SUBJECT:** **CD-42-14:** Transportation mitigation fee for new development in the Regional Activity Center (RAC). (FIRST READING).

**REQUEST**

To establish a transportation mitigation fee as required by Broward County for new development in the Regional Activity Center.

**BACKGROUND**

On July 27, 2010, the City of Dania Beach adopted Resolution No. 2010-1144 which committed the City to develop a transportation mitigation impact fee of up to \$1.8 million. This fee was requested by Broward County when the city approved the 2010 Comprehensive Plan amendment to the City of Dania Beach for the Regional Activity Center (RAC).

The RAC was originally adopted in 2009 by a separate Comprehensive Plan amendment which created a pool of uses to be utilized within the +/- 1,350 acre area. Subsequent to the adoption of the RAC, the 2010 amendment was proposed by the City. During review of that proposed amendment, it was determined by Broward County staff that there were additional impacts on the transportation system that required additional mitigation.

A condition of the approval of the County's Comprehensive Plan amendment was that the City shall develop a transportation mitigation system. The purpose of this system is to establish fair share contribution payment schedule which will be implemented for new development within the RAC going forward. The proposed schedule is based upon the available remaining development rights within the RAC as adopted by the Comprehensive Plan amendment and will be assignable to proposed development within the RAC based upon the p.m. peak hour trips that those development generate. For the purposes of this program, the p.m. peak hour trips are based upon the Institute of Transportation Engineer's (ITE) generation rates current at the date of the building permit application as determined to be the fair share contribution payment for the individual project.

The maximum total impact amount of \$1.8 million is required to mitigate a maximum of 84,649 P.M. peak trips within the RAC. The payment schedule that has been developed for this procedure provides for twenty-one dollars and twenty-six cents (\$21.26) per p.m. peak hour trip as the fair share contribution payment for projects. Attached is a table which outlines the remaining development available within the RAC and the anticipated trip generation based upon the ITE trip generation rates that development would create.

The funds collected by the City at the time of building permit through this program will be utilized for transit infrastructure improvements, costs of City mass transit expenditures, programmed roadway improvements, and/or pedestrian/greenway improvements consistent with the Broward County 2035 Long Range Transportation plan and within the City's RAC boundaries.

This request will be heard by the City Commission at two (2) public hearings and will become effective 90 days after advertisement, per state statues.

**PLANNING AND ZONING BOARD RECOMMENDATION**

On April 16, 2014 the Planning and Zoning Board, sitting as the Local Planning Agency, heard this item and recommended approval.

**STAFF RECOMMENDATION**

Recommend approval of the proposed transportation mitigation fee for the RAC.

DANIA RAC "Remaining"

LAND USE	ITE CODE	DU	ACRES	factor	SF	KSF	DAILY	PM PEAK
Commercial	820		28.08	.52 FAR	636,046	636	27,157	2,360
Commercial	820		67.48	7 FAR	20,576,001	20,576	878,595	76,337
Commercial	820		6,356 sf	10k bcpc	1,459	2	443	36
Community Facil.	733		4.5	10k bcpc	45,000	45	1,256	128
Conservation	n/a		n/a			0	0	0
Parks & Rec.	411		0			0	0	0
Emply. Center	826		20	.29 FAR	252,648	253	11,213	686
Emply. Center	826		45.63	10k bcpc	456,300	456	20,210	1,236
Industrial	110		54.7	10k bcpc	547,000	547	3,813	531
Utilities	170		2.5	10k bcpc	25,000	25	0	19
Transportation	n/a		n/a			0	0	0
Single-Fami	210	1,176					11,196	1,176
Duplex	230	-622					0	0
Townhome	230	2,047					11,893	1,064
Garden Apt	220	808					5,373	501
High Rise	232	885					3,699	336
Hotel	310	398					3,252	239
							<b>978,100</b>	<b>84,649</b>

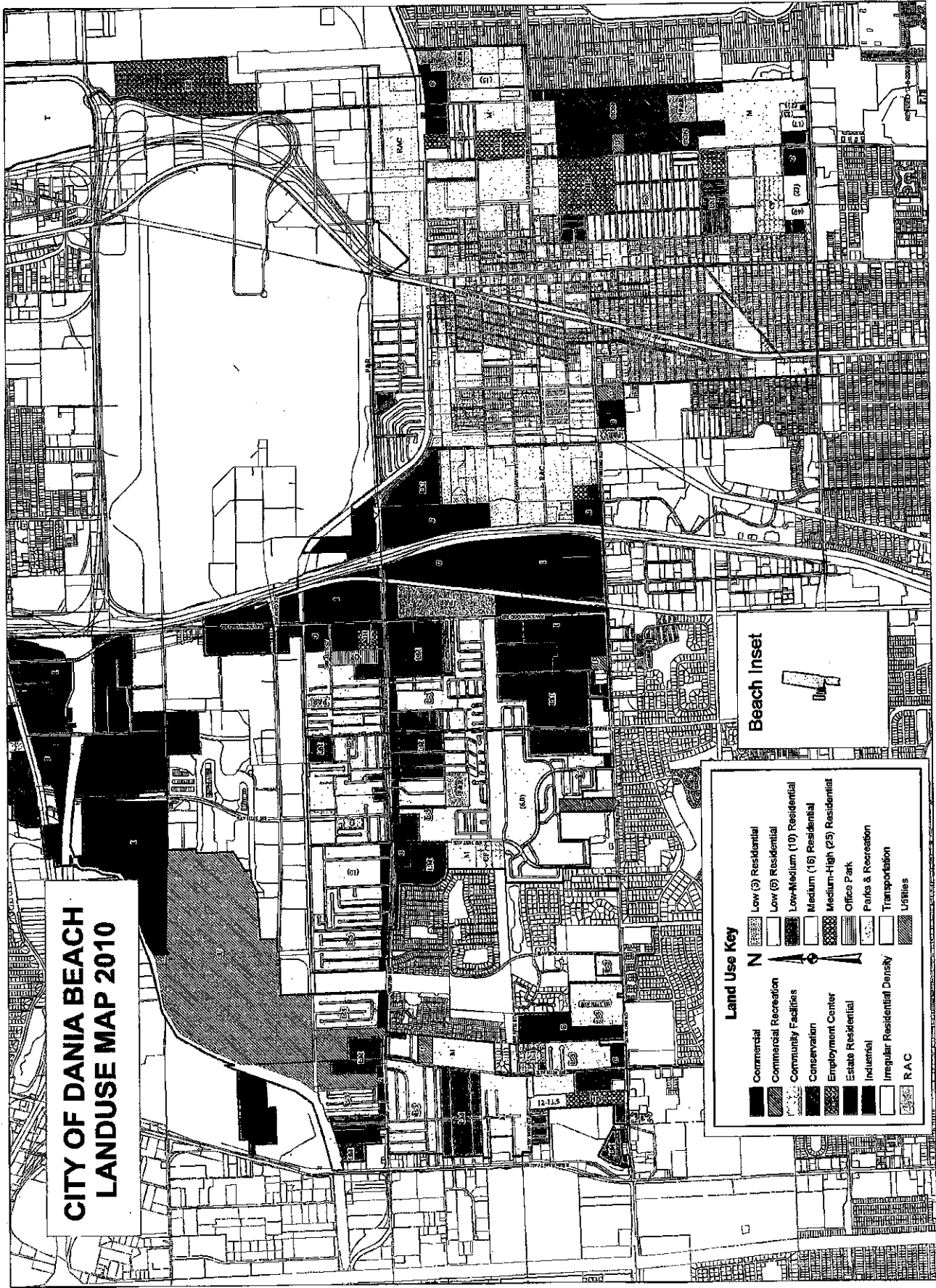
(special Retail)  
(special Retail)  
(light?)

Notes

Special Retail Highest Generator under typical EC uses (office/Lt Ind/Office)

Conservation and Transportation generate 0 per bcpc backup

Calculations based upon "spreadsheet" (lrk) so there may differences v. bcpc but not likely significant.



**CITY OF DANIA BEACH  
LANDUSE MAP 2010**

**Land Use Key**

N

Commercial	Low (3) Residential
Commercial Recreation	Low (6) Residential
Community Facilities	Low-Medium (10) Residential
Conservation	Medium (16) Residential
Employment Center	Medium-High (25) Residential
Estate Residential	Office Park
Industrial	Parks & Recreation
Irregular Residential Density	Transportation
RAC	Utilities

**ORDINANCE NO. 2010-007**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE DANIA BEACH COMPREHENSIVE PLAN TO AMEND THE REGIONAL ACTIVITY CENTER ("RAC") LAND USE CLASSIFICATION AS DESCRIBED IN EXHIBIT "A" ATTACHED TO THIS ORDINANCE, BY INCREASING ACREAGE FOR COMMERCIAL AND EMPLOYMENT CENTER USES; PROVIDING FOR TRANSMITTAL TO THE BROWARD COUNTY PLANNING COUNCIL AND STATE AGENCIES; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; REQUESTING RECERTIFICATION FROM THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS, the City of Dania Beach ("City") desires to amend its Comprehensive Plan's Future Land Use Element by amending the land use classification "Regional Activity Center" ("RAC"); and**

**WHEREAS, the City's Planning and Zoning Board, sitting as the Local Planning Agency, held a duly advertised public hearing on March 17, 2010, and determined that the proposed amendment to the Future Land Use Element (the "Amendment") is consistent with the goals and objectives of the City's Comprehensive Plan and, therefore, recommended approval of the Amendment; and**

**WHEREAS, the City Commission held a duly noticed public hearing on April 27, 2010, regarding the Amendment and determined that the Amendment is in the best interests of the City's public health, safety and welfare and should be adopted for transmittal to the Florida Department of Community Affairs for its review pursuant to Chapter 163, Florida Statutes; and**

**WHEREAS, on \_\_\_\_\_, 2010, the City Commission held its second public hearing on the adoption of the Amendment, for final adoption in accordance with the requirements of Chapter 163, Florida Statutes;**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1.** That the Future Land Use Element of the City's Comprehensive Plan is amended according to Exhibit "A", a copy of which is attached and made a part of this Ordinance, amending the land use classification of "Regional Activity Center" ("RAC") and supporting objectives and policies.

**Section 2.** That the City Commission authorizes the City Manager to transmit the Amendment to the Florida Department of Community Affairs and other state agencies pursuant to the requirements of Chapter 163.3184, Florida Statutes.

**Section 3.** That the City Commission authorizes the City Manager to transmit an application to the Broward County Planning Council to request amendment of the Broward County Land Use Plan text, amending the RAC in Dania Beach, and to request recertification of the City's Future Land Use Element.

**Section 4.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.


**Section 5.** That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**Section 6.** That the effective date of this Amendment shall be after the second reading and adoption of the amendment by the City Commission and, subsequently, the date a final order is issued by the Florida Department of Community Affairs finding the amendment to be in compliance in accordance with Chapter 163, Florida Statutes; or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163, Florida Statutes.

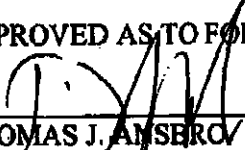
**PASSED AND ADOPTED** on first reading on April 27, 2010.

**PASSED AND ADOPTED** on second and final reading on \_\_\_\_\_, 2010.

  
C. K. McELYEA  
MAYOR-COMMISSIONER

ATTEST:   
LOUISE STILSON, CMC  
CITY CLERK



APPROVED AS TO FORM AND CORRECTNESS:  
  
THOMAS J. ANSERO  
CITY ATTORNEY

**RESOLUTION NO. 2010-114**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING MITIGATION OF TRAFFIC IMPACTS ASSOCIATED WITH THE MODIFICATION OF PERMITTED USES WITHIN THE DANIA BEACH REGIONAL ACTIVITY CENTER ("RAC") AS OUTLINED IN BROWARD COUNTY'S LONG RANGE TRANSPORTATION PLAN ("LRTP"); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS, on December 8, 2009, the City Commission of the City of Dania Beach amended its comprehensive plan to adopt a Regional Activity Center ("RAC") for the area that is designated as the City's Community Redevelopment Agency redevelopment area; and**

**WHEREAS, the City of Dania Beach is currently proposing to amend the "RAC" to include the addition of 30 acres of Commercial Land Use and 20 acres of Employment Center Land Use; and**

**WHEREAS, as part of the Broward County Planning Council staff review of this application, adverse traffic impacts have been identified on the Regional Transportation System that are estimated to increase the number of P.M. Peak Hour Vehicle Trips at the long term planning horizon (2020); and**

**WHEREAS, the fee for mitigating the transportation impacts in the "RAC" as a result of this amendment is not expected to exceed \$1,800,000.00; and**

**WHEREAS, the City Commission of the City of Dania Beach desires to mitigate the traffic impacts for this land use plan amendment by making a financial contribution towards improvements in the area outlined in Broward County's Long Range Transportation Plan ("LRTP");**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1. The foregoing "Whereas" clauses are ratified and confirmed as being true and correct and they are made a specific part of this Resolution upon its adoption.**

**Section 2. The City Commission of the City of Dania Beach will ensure that impacts to the regional transportation system are mitigated through development and implementation of a Fair Share Contribution Payment Schedule, which will be included as part of a recorded**



voluntary commitment made by the City of Dania Beach as part of the Land Use Plan Amendment's traffic mitigation.

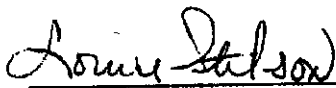
**Section 3.** That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

**Section 4.** This Resolution shall be in full force and take effect immediately upon its passage and adoption by the City Commission of the City of Dania Beach, Florida.

**PASSED AND ADOPTED** on July 27, 2010.

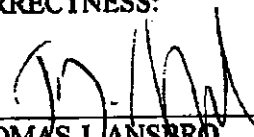
  
C. K. McELYEA  
MAYOR-COMMISSIONER

ATTEST:

  
LOUISE STILSON, CMC  
CITY CLERK



APPROVED AS TO FORM  
CORRECTNESS:

  
THOMAS J. ANSBRO  
CITY ATTORNEY

NOTICE OF PUBLIC HEARINGS  
CITY OF DANIA BEACH, FLORIDA

A Public Hearing will be conducted by the City of Dania Beach City Commission meeting on the following date:

DATE: Wednesday, May 27, 2014  
TIME: 7:00 p.m. or as soon thereafter as the same may be heard  
PLACE: City Commission Chambers  
Dania Beach Administrative Center  
100 West Dania Beach Blvd.  
Dania Beach, FL 33004

SUBJECT: CD-42-14: Community Development Department is requesting the establishment of transportation mitigation fee for new development in the Regional Activity Center. (First Reading)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 810 "IMPACT FEES" TO PROVIDE FOR ADOPTION OF A MITIGATION FEE PROGRAM ASSOCIATED WITH THE MITIGATION OF TRAFFIC IMPACTS ASSOCIATED WITH THE MODIFICATION OF PERMITTED USES WITHIN THE AREA DESIGNATED AS THE DANIA BEACH REGIONAL ACTIVITY CENTER ("RAC") BY THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN, AS OUTLINED IN THE BROWARD COUNTY LONG RANGE TRANSPORTATION PLAN ("LRTP"); PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Copies of the proposed requests are available for viewing in the Community Development Department, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours. For more information please call the Planning Division at (954) 924-6805 x3643.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office, 100 W. Dania Beach Blvd, Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

